

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHARLES CHUBB,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 2:15-CV-03095
CRIM. NO. 2:92-CR-00009(1)
JUDGE GEORGE C. SMITH
MAGISTRATE JUDGE KEMP

OPINION AND ORDER

On April 27, 2016, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings recommending that the instant motion to vacate, set aside or correct sentence be transferred to the United States Court of Appeals for the Sixth Circuit as a successive petition. (ECF No. 87). Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* (ECF No. 87) is **ADOPTED** and **AFFIRMED**. This action is hereby **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit as a successive petition.

IT IS SO ORDERED.

|s| George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT